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REMARKS

Claims 1-50 are pending in this application. Claims 29-31 and 48-50 have been withdrawn as being directed to a non-elected invention. Claims 6, 16, 24, 34-35 and 45 have been amended to correct typographical errors. As such, the above amendments to claims 6, 16, 24, 34-35 and 45 do not invoke the restrictions of the Doctrine of Equivalents under Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co., 122 S. Ct. 1831 (2002). Consequently, the applicants should be accorded the full scope of their claims under the Doctrine of Equivalents.

In view of both the amendments presented above and the following discussion, the applicants submit that none of the claims now pending in the application are anticipated under the provisions of 35 U. S. C. § 102, or obvious under the provisions of 35 U. S. C. § 103. Furthermore, the applicants believe that all of the claims now satisfy the requirements of 35 U. S. C. § 112. Thus, applicants believe that all of these claims are now in allowable form.

INFORMATION DISCLOSURE STATEMENT

The Examiner indicates that the information disclosure statement filed on April 4, 2002 fails to comply with 37 C. F. R. 1.98(a)(3). Applicants have mailed a supplemental information disclosure statement under separate cover that fully complies with 37 C. F. R. 1.98(a)(3).

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REJECTIONS

A. 35 U. S. C. § 112

1. Claims 16-23 rejected under 35 U. S. C. § 112, second paragraph

Claims 16-23 stand rejected under 35 U. S. C. § 112, second paragraph as being indefinite. In particular, the Examiner indicates that for claim 16 the phrase "the ammonia containing gas" lacks antecedent basis. The applicants have amended claim 16 to replace the phrase "the ammonia containing gas" with the phrase "the nitrogen containing gas", which has antecedent basis at line 11 thereof.

In view of the above amendment to claim 16, the basis for the Examiner's rejection of claims 16-23 pursuant to 35 U. S. C. § 112, second paragraph has been removed. Thus, it is respectfully requested that this rejection be withdrawn.

B. 35 U. S. C. § 102

1. Claims 1-3, 9-15, 35-37 and 39-43 are not anticipated by Chiang et al.

Claims 1-3, 9-15, 35-37 and 39-43 stand rejected under 35 U. S. C. § 102(e) as being anticipated by Chiang et al. (U. S. Patent 6,428,859 issued August 6, 2002). Applicants submit that these claims are not anticipated by this reference.

The filing date for applicant's application is February 2, 2001. The applicants note that Chiang et al. has a filing date of March 19, 2001 and claims priority to a provisional application 60/251,795 filed on December 6, 2000. Pursuant to MPEP § 706.02(f)(1), a reference may be applied under 35 U. S. C. § 102(e) and claim the benefit of its earliest effective filing date if the prior application properly supports the subject matter used to make the rejection.

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Since the present application has a filing date of February 2, 2001 that is before the March 19, 2001 filing date of Chiang et al., rejection of claims 1-3, 9-15, 35-37 and 39-43 based on Chiang et al. may only be made if the provisional application 60/251,795 to which Chiang et al. claims priority recites the subject matter used to make such rejection. As such, the applicants respectfully request that the Examiner provide a copy of provisional application 60/251,795 filed on December 6, 2000 and indicate wherein such subject matter is recited. Otherwise, it is respectfully requested that this rejection be withdrawn.

C. 35 U. S. C. § 103

1. Claims 24-25, 27-28 and 45-46 are not obvious over Nogami et al. in view of Chiang et al.

Claims 24-25, 27-28 and 45-46 stand rejected under 35 U. S. C. § 103(a) as being obvious over Nogami et al. (U. S. Patent 6,001,415 issued December 14, 1999) in view of Chiang et al. (U. S. Patent 6,428,859 issued August 6, 2002). Applicants submit that these claims are not rendered obvious by the combination of these references.

As noted above, the filing date for applicant's application is February 2, 2001. The applicants note that Chiang et al. has a filing date of March 19, 2001 and claims priority to a provisional application 60/251,795 filed on December 6, 2000. Pursuant to MPEP § 706.02(j), a reference may be applied under 35 U. S. C. § 103(a) and claim the benefit of its earliest effective filing date if the prior application properly supports the subject matter used to make the rejection. Since the present application has a filing date of February 2, 2001 that is before the March 19, 2001 filing date of Chiang et al., rejection of claims 24-25, 27-28 and 45-46 based on Chiang et al. may only be made if the provisional application 60/251,795 to which Chiang et al. claims priority recites the subject matter used to make such rejection. As such, the applicants respectfully request that the

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Examiner provide a copy of provisional application 60/251,795 filed on December 6, 2000 and indicate wherein such subject matter is recited. Otherwise, it is respectfully requested that this rejection be withdrawn.

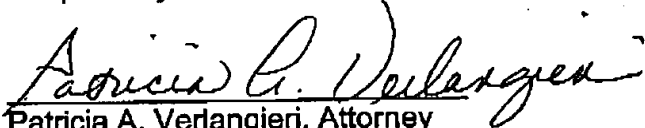
Conclusion

Thus, applicants submit that none of the claims, presently in the application are anticipated under the provisions of 35 U. S. C. § 102, or obvious under the provisions of 35 U. S. C. § 103. Furthermore, the applicants believe that all of the claims now satisfy the requirements of 35 U. S. C. § 112. Consequently, the applicants believe that all of the claims are presently in condition for allowance. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If, however, the Examiner believes that there are any unresolved issues requiring adverse final action in any claims now pending in the application, it is requested that the Examiner telephone Ms. Patricia A. Verlangieri, at (732) 530-9404, so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

5/2/03


Patricia A. Verlangieri, Attorney
Reg. No. 42,201
(732) 530-9404

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Moser, Patterson & Sheridan, LLP
595 Shrewsbury Avenue
Suite 100
Shrewsbury, NJ 07702

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Please continue to direct all correspondence to:

Patent Counsel
Applied Materials, Inc.
3050 Bowers Avenue
P. O. Box 450A
Santa Clara, CA 95052

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